

AMENDED IN SENATE JULY 25, 1997

AMENDED IN SENATE JUNE 2, 1997

AMENDED IN ASSEMBLY MAY 6, 1997

AMENDED IN ASSEMBLY APRIL 17, 1997

AMENDED IN ASSEMBLY APRIL 15, 1997

AMENDED IN ASSEMBLY MARCH 18, 1997

CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

ASSEMBLY BILL

No. 206

Introduced by Assembly Member Hertzberg

February 4, 1997

An act to add Chapter 5.1 (commencing with Section ~~8321~~ 8330) to Division 1 of Title 2 of the Government Code, relating to state government.

LEGISLATIVE COUNSEL'S DIGEST

AB 206, as amended, Hertzberg. Citizen Complaint Act of 1997.

Existing law provides for the establishment and operation of state agencies.

This bill would require state agencies, including the California State University, to make available on their Internet websites, on or before July 1, 1998, or within 6 months of the establishment of such a site, whichever is later, a plain language form through which individuals can register complaints or comments relating to the performance of that

state agency. This bill would require state agencies making a complaint form available on their Internet websites, to the extent feasible, to advise individuals calling to lodge a complaint of specified information and to include their Internet website address in the telephone directory. This bill would also authorize public libraries, to the extent permitted through donations and other means, to provide Internet access to their patrons and to advertise that they provide Internet access. These provisions would be known as the Citizen Complaint Act of 1997. This bill would require all state agencies that have Internet websites to implement these provisions in a manner that is consistent with the statewide strategy for electronic commerce as established by the Department of Information Technology.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 5.1 (commencing with Section
2 ~~8321~~) 8330) is added to Division 1 of Title 2 of the
3 Government Code, to read:

4
5 CHAPTER 5.1. CITIZEN COMPLAINT ACT OF 1997

6
7 ~~8321.~~—

8 8330. This chapter shall be known and may be cited
9 as the Citizen Complaint Act of 1997. All state agencies
10 that have Internet websites shall implement this act in a
11 manner that is consistent with the statewide strategy for
12 electronic commerce as established by the Department
13 of Information Technology.

14 ~~8322.~~—

15 8331. (a) State agencies shall make available on their
16 Internet websites, on or before July 1, 1998, or within six
17 months of the establishment of such a site, whichever is
18 later, a plain-language form through which individuals
19 can register complaints or comments relating to the
20 performance of that agency. The Internet website shall
21 provide instructions on filing the complaint

1 electronically, or on the manner in which to download,
2 complete, and mail the complaint form to the state
3 agency, or both, consistent with whichever method the
4 agency establishes for the filing of complaints.

5 (b) Any printed complaint form used by a state agency
6 as part of the process of receiving a complaint against any
7 licensed individual or corporation subject to regulation
8 by that agency shall make the form available on its
9 Internet website, on or before July 1, 1998, or within six
10 months of the establishment of such a site, whichever is
11 later. The Internet website shall provide instructions on
12 filing the complaint electronically, or on the manner in
13 which to download, complete, and mail the complaint
14 form to the state agency, or both, consistent with
15 whichever method the agency establishes for the filing of
16 complaints.

17 (c) State agencies making a complaint form available
18 on their Internet website shall, to the extent feasible:

19 (1) Advise individuals calling the state agency to lodge
20 a complaint of both of the following:

21 (A) The availability of the complaint form on the
22 Internet website.

23 (B) That many public libraries provide Internet
24 access.

25 (2) Include their Internet website address in the
26 telephone directory in order that citizens will be aware
27 that they may contact the state agency via the Internet
28 or by telephone.

29 (d) Public libraries, to the extent permitted through
30 donations and other means, may do each of the following:

31 (1) Provide Internet access to their patrons.

32 (2) Advertise that they provide Internet access.

33 (e) Notwithstanding subdivision (a) of Section 11000,
34 state agency as used in this section includes the California
35 State University.

36 ~~8323.—~~

37 8332. It is the intent of the Legislature that this
38 chapter ~~not affect the application of~~ *shall not apply to* the
39 Reporting of Improper Governmental Activities Act
40 (Article 3 (commencing with Section 8547) of Chapter

1 6.5) or the procedures established to investigate citizens'
2 complaints against peace officers as required by Section
3 832.5 of the Penal Code.

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